

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 443

Introduced by Assembly Member Bonilla

February 15, 2011

An act to ~~amend Section 8630 of the Education Code, relating to education programs~~ *add Section 7583 to the Government Code, relating to children with disabilities.*

LEGISLATIVE COUNSEL'S DIGEST

AB 443, as amended, Bonilla. ~~Education programs: California Summer Science and Technology Academy. Children with disabilities: insurance coverage.~~

Existing law requires that every individual with exceptional needs, as defined, who is eligible be provided with educational instruction, services, or both, at no cost to his or her parent or guardian or, as appropriate, to him or her. A free appropriate public education is required to be made available to individuals with exceptional needs in accordance with specified federal regulations adopted pursuant to the federal Individuals with Disabilities Education Act. Existing law requires counties to coordinate the service responsibilities of this requirement, including assessment and the provision of necessary services.

This bill would require the county, upon referral and during the individualized education program planning process, to ask the parent or legal guardian of the child or youth whether the child or youth is covered by a private health insurance provider and, if the child or youth has private health insurance, would authorize the county or other provider to seek reimbursement from that insurance company for

medically necessary services provided to the child or youth. By imposing additional duties on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law establishes the California Summer Science and Technology Academy to be a statewide program that is required to be developed and operated to identify public high school pupils with high academic potential in mathematics, science, and technology, with an emphasis on females and minority members, to participate in university-based research programs. Existing law states legislative intent pertaining to the functions of this academy.~~

~~This bill would make technical, nonsubstantive changes to that legislative intent.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 7583 is added to the Government Code,*
- 2 *to read:*
- 3 7583. (a) *Upon referral and during the individualized*
- 4 *education program planning process the county shall ask the*
- 5 *parent or legal guardian of the child or youth whether the child*
- 6 *or youth is covered by a private health insurance provider. If the*
- 7 *child or youth has private health insurance, that information shall*
- 8 *be included in the child's or youth's record or individualized*
- 9 *education program.*
- 10 (b) *The county or other provider may seek reimbursement from*
- 11 *a private health insurance provider for medically necessary*
- 12 *treatment services provided to a child referred by a local education*
- 13 *agency for an assessment or a disabled child or youth with an*
- 14 *individualized education program.*

1 *SEC. 2. If the Commission on State Mandates determines that*
2 *this act contains costs mandated by the state, reimbursement to*
3 *local agencies and school districts for those costs shall be made*
4 *pursuant to Part 7 (commencing with Section 17500) of Division*
5 *4 of Title 2 of the Government Code.*

6 ~~SECTION 1. Section 8630 of the Education Code is amended~~
7 ~~to read:~~

8 ~~8630. It is the intent of the Legislature, pursuant to this chapter,~~
9 ~~to do all of the following:~~

10 ~~(a) Support the educational experiences of all pupils, and assist~~
11 ~~them to excel, in the fields of mathematics, science, and~~
12 ~~technology, especially with regard to females and minority~~
13 ~~members who have been traditionally underrepresented in those~~
14 ~~fields.~~

15 ~~(b) Encourage and improve upon the performance of California~~
16 ~~pupils in national competitions in mathematics, science, and~~
17 ~~technology.~~

18 ~~(c) Provide opportunities for capable pupils to participate in~~
19 ~~summer honors research programs with research faculty at the~~
20 ~~University of California and other institutions of higher education.~~